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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,949	01/23/2004	Andrei Darievich Mirzabekov	U 014998-5	5066
140 LADAS & PARRY 26 WEST 61ST STREET NEW YORK, NY 10023	7590 07/31/2007		EXAMINER STEELE, AMBER D	
			ART UNIT 1639	PAPER NUMBER
			MAIL DATE 07/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10763949	1/23/2004	MIRZABEKOV ET AL.	U 014998-5

EXAMINER

Amber D.. Steele

ART UNIT

PAPER

1639

20070724

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

1. The amendment filed on May 23, 2007 canceled all claims (i.e. claims 1-51) and added new claims 52-77. The amendment filed on May 23, 2007 is considered non-responsive to the Restriction requirement mailed on June 30, 2006. This is the SECOND non-responsive amendment received from the applicants.
2. In the PTO-90C mailed on December 19, 2006, applicants were notified that they had elected multiple groups and had neglected to elect any species. Applicants' initial response to the restriction requirement (received October 3, 2006) elected claims 24-51 (now canceled) which corresponded to multiple groups (i.e. claims 24-32 = Group XIX; claim 33 = Group X; claim 34 = Group XXI; and new claims 35 -51 = Group VIII which previously correlated to claim 17 which is now canceled).
3. The amendment filed on May 23, 2007 failed to elect a single invention for prosecution. The amendment filed on May 23, 2007 canceled claims 1-51 and added new claims 52-77. New claims 52-75 correlate to previous Group XIX, new claim 76 correlates to previous Group XX, and new claim 77 correlates to previous Group XXI. Thus, applicants have not elected a single invention and the election is incomplete. Please note: the election of Group XIX (new claims 52-75) may necessitate a supplemental restriction requirement.
4. Applicants' were requested to elect a single, specific species of biochip and a single, specific species of how the biochip is made if the invention of Group XIX (previous claims 24-32, new claims 52-75) was elected. Applicants have neglected to elect any species. Thus the species election is incomplete because applicant did not elect a single, specific species as required.
5. Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amber Steele whose telephone number is 571-272-5538. The examiner can normally be reached Monday through Friday from 9 AM to 5 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Schultz, can be reached at 571-272-0763.

The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair>.

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

7. Any subsequent non-responsive reply to the restriction requirement mailed on June 30, 2006 will be considered a non-bona fide attempt to respond.

ADS
July 24, 2007



MARK L. SHIBUYA
PRIMARY EXAMINER